

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

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**NEIGHORHOOD PLAN:** East MLK Combined Neighborhood Plan

**CASE#:** NPA-2013-0015.01 **DATE FILED:** May 17, 2013 (Out-of-cycle)

**PROJECT NAME:** Airport Cafe

**PC DATE:** August 13, 2013

**ADDRESS/ES:** 1137 and \*1139 Airport Blvd., 1138 Gunter St.  
(\*The previous address for this lot was 1141 Airport Blvd, but it was corrected by 9-1-1 Addressing Division on 8/6/13).

**SITE AREA:** Approx. 0.4044 acres

**APPLICANT/ OWNER:** R & J Partner, LLC

**AGENT:** Alice Glasco Consulting (Alice Glasco)

**TYPE OF AMENDMENT:**

Change in Future Land Use Designation

From: Single Family

To: Mixed Use

Base District Zoning Change

Related Zoning Case: C14-2013-0055

From: SF-3-NP

To: CS-MU-NP

**NEIGHBORHOOD PLAN ADOPTION DATE:** November 7, 2002

**PLANNING COMMISSION RECOMMENDATION:** Pending.

**STAFF RECOMMENDATION:** Staff recommends Neighborhood Mixed Use, not Mixed Use.

**BASIS FOR STAFF'S RECOMMENDATION:** Although the E. MLK Neighborhood Plan supports the preservation of residential areas, staff believes the location of these residential lots along Airport Boulevard makes it unlikely that a residential use could continue in this location. Due to the residential adjacency to the north and the east of the site, staff believes the Neighborhood Mixed Use land use is more appropriate for this location.

The FLUM change to Neighborhood Mixed Use meets the following Goals and Objectives of the E. MLK Neighborhood Plan:

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**Goal 2** - Promote a mix of land uses that respect and enhance the existing neighborhood and address compatibility between residential, commercial, and industrial uses.

**Goal 3** - Preserve existing small businesses and encourage new neighborhood-serving commercial services in appropriate locations.

**Objective 3.1:** Where zoning permits, promote neighborhood-oriented businesses and services such as restaurants, corners stores, and laundromats.

**Goal 4** - Promote the development and enhancement of the neighborhood's major corridors.

**Objective 4.1:** Allow mixed use development along major corridors and intersections.

**Goal 1**- Preserve established residential areas and improve opportunities for home ownership by promoting the rehabilitation of existing housing and new, infill housing compatible with the existing style of this neighborhood.

## **LAND USE DESCRIPTIONS – EXISTING AND PROPOSED**

### **Existing Land use**

**Single Family** - Single family detached or two family residential uses at typical urban and/or suburban densities.

#### **Purpose**

1. Preserve the land use pattern and future viability of existing neighborhoods;
2. Encourage new infill development that continues existing neighborhood patterns of development; and
3. Protect residential neighborhoods from incompatible business or industry and the loss of existing housing.

#### **Application**

1. Existing single-family areas should generally be designated as single family to preserve established neighborhoods; and

2. May include small lot options (Cottage, Urban Home, Small Lot Single Family) and two-family residential options (Duplex, Secondary Apartment, Single Family Attached, Two-Family Residential) in areas considered appropriate for this type of infill development

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### **Applicant's Proposed Land Use**

**Mixed Use** -An area that is appropriate for a mix of residential and non-residential uses

#### **Purpose**

1. Encourage more retail and commercial services within walking distance of residents;
2. Allow live-work/flex space on existing commercially zoned land in the neighborhood;
3. Allow a mixture of complementary land use types, which may include housing, retail, offices, commercial services, and civic uses (with the exception of government offices) to encourage linking of trips4. Create viable development opportunities for underused center city sites;
5. Encourage the transition from non-residential to residential uses;
6. Provide flexibility in land use standards to anticipate changes in the marketplace;
7. Create additional opportunities for the development of residential uses and affordable housing; and
8. Provide on-street activity in commercial areas after 5 p.m. and built-in customers for local businesses.

#### **Application**

1. Allow mixed use development along major corridors and intersections;
2. Establish compatible mixed-use corridors along the neighborhood's edge
3. The neighborhood plan may further specify either the desired intensity of commercial uses (i.e. LR, GR, CS) or specific types of mixed use (i.e. Neighborhood Mixed Use Building, Neighborhood Urban Center, Mixed Use Combining District);
4. Mixed Use is generally not compatible with industrial development, however it may be combined with these uses to encourage an area to transition to a more complementary mix of development types;
5. The Mixed Use (MU) Combining District should be applied to existing residential uses to avoid creating or maintaining a non-conforming use; and
6. Apply to areas where vertical mixed use development is encouraged such as Core Transit Corridors (CTC) and Future Core Transit Corridors.

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### **Staff Recommended Land Use**

**Neighborhood Mixed Use** - An area that is appropriate for a mix of neighborhood commercial (small-scale retail or offices, professional services, convenience retail, and shop front retail that serve a market at a neighborhood scale) and small to medium-density residential uses.

#### **Purpose**

1. Accommodate mixed use development in areas appropriate for a mix of residential uses and neighborhood commercial uses that serve surrounding neighborhoods; and
2. Provide transition from residential use to high intensity commercial or mixed use.

#### **Application**

1. Appropriate for areas such as minor arterials and collectors, small parcels along major arterials that abut single-family residential development, and areas in environmentally sensitive zones where high intensity commercial uses are discouraged; and
2. May be used as a transition from high intensity commercial and residential uses to single-family residential uses.

### **IMAGINE AUSTIN COMPREHENSIVE PLAN**

Staff believes the request to change the future land use map to Neighborhood Mixed use meets the following policies in the Imagine Austin Comprehensive Plan.

#### **LAND USE AND TRANSPORTATION POLICIES**

**LUT P1.** Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.

**LUT P3.** Promote development in compact centers, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.

**LUT P4.** Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.

**LUT P5.** Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.

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**LUT P6.** Ensure that neighborhoods of modest means have a mix of local-serving retail, employment opportunities, and residential uses.

**LUT P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.

**LUT P10.** Direct housing and employment growth to activity centers and corridors, and preserving and integrating existing affordable housing where possible.

## **URBAN DESIGN POLICIES**

**UD P1.** Develop accessible community gathering places such as plazas, parks, farmers' markets, sidewalks, and streets in all parts of Austin, especially in the Downtown, future TODs, in denser, mixed-use communities, and other redevelopment areas, that encourage interaction and provide places for people of all ages to visit and relax.

**UD P4.** Assure that new development is walkable and bikable and preserves the positive characteristics of existing pedestrian-friendly environments.

**UD P8.** Transform major streets into vibrant, multi-functional, pedestrian-friendly corridor.

## **NEIGHBORHOODS POLICIES**

**N P1.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

**N P2.** Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors and infill sites

**N P4.** Strengthen Austin's neighborhoods by connecting to other neighborhoods, quality schools, parks, environmental features, and other community-serving uses that are accessible by transit, walking, and bicycling.

**N P5.** Strengthen planning processes by recognizing that the Comprehensive Plan and small-area plans, such as neighborhood plans, corridor plans, and station area plans, need to respect, inform, and draw from each other.

**N P6.** Protecting neighborhood character by providing opportunities for existing residents who are struggling with rising housing costs to continue living in their existing neighborhoods.

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## Growth Concept Map

The property is located along an Activity Corridor and partially within a Neighborhood Center. The request to change the land use to Mixed Use (although staff recommends Neighborhood Mixed Use for residential compatibility reasons) is consistent with the Growth Concept Map.

Activity corridors are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites

Neighborhood Centers are the smallest and least intense of the three mixed-use centers. The other two being Regional and Town Center. Neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections.

**BACKGROUND:** The application was filed on May 17, 2013, which is out-of-cycle for neighborhood planning areas located on the east side of I.H.-35. The East MLK Planning Contact Team permitted the out-of-cycle application.

The applicant proposes to change the land use on the future land use map (FLUM) from Single Family to Mixed Use. Staff recommends Neighborhood Mixed Use land use because it is a lesser intense land use category and is more compatible with the residential adjacency to the north and east of the property.

The applicant proposes to change the zoning from SF-3- NP (Single Family – Neighborhood Plan) to CS-MU-NP (Commercial Services District – Mixed Use – Neighborhood Plan) to open a coffee shop. For more information on the zoning request, please see the case report for case number C14-2013- 0055.

**PUBLIC MEETINGS:** The ordinance required plan amendment meeting was held on July 1, 2013. Approximately 339 meeting notices were mailed to property owner and renters within 500 feet of the property, in addition to environmental and neighborhood organizations registered on the Community Registry. Four people attended the meeting, in addition to the applicant, his agent, and one city staff member.

Ron Meyeres, the owner, gave a brief presentation stating that he proposes to rezone the property to CS-MU-NP to convert the existing vacant single family home into a coffee shop. The building is approximately 1000 square feet, but there will be an outdoor seating area. They are requesting CS – Community Commercial, instead of LR- Neighborhood

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Commercial because the properties along Airport are predominantly zoned CS and they anticipate that the remaining single family areas could be assembled into a large commercial lot for redevelopment. (Note: Pictures of the proposed project are at the back of this report).

After his presentation, the following questions were asked:

**Q. Do you own the duplex to the north?**

A. No.

**Q. Why are you asking for Mixed Use?**

A. Because it could be turned back into a residence, if we wanted it.

**Q. Would the patrons enter the parking lot through Gunter Street?**

A. Yes, because there is a drainage ditch along Airport Blvd. If we could get permission from Texas Department of Transportation to have access to the property from Airport, we would do that.

**Q. I have concerns about the kids walking along Gunter Street with the increased traffic from this coffee shop.**

A. People walk from the neighborhood and the use will have a low traffic count. The West Lynn Coffee shop is across from a school and the parents drop off their children then spend time at the coffee shop.

**Q. What will the hours be?**

A. Probably 6:30 a.m. to 1 or 2 p.m.; however, people may like this as a place to hang out, so the hours might end up being longer.

**Q. Are you prepared to have a bunch of kids hanging out at the coffee shop?**

A. The woman who we plan to lease the building has connections to the arts community, so I'm anticipating a lot of the customer will be from the arts community.

**Q. Will you have a drive through?**

A. No.

**Q. What do you mean by arts community?**

A. An area where artists show their work on the weekends.

**Q. Will you sell alcohol?**

A. Maybe sell beer and wine, eventually.

**Q. Will this cause our property taxes to go up?**

A. The Tax Appraiser doesn't appraise based on zoning.

**Q. Why didn't the rental of house work out?**

A. There was too much noise from the traffic on Airport Blvd. Also, the previous owner had issues with Code Enforcement, such as foundation work and fire detectors.

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**Q. Will you expand the building?**

A. No, but there will be outdoor decks for people to sit on.

**Q. Could people park on the street?**

A. Technically, yes they could, but we want them to park on the site.

**Q. Will you put up a fence along the property line along Airport Blvd.?**

A. No, we want to keep it open.

**Q. What is Plan B if this coffee shop does not work out?**

A. Maybe an office or insurance company, but a coffee shop is our ultimate goal. After the Q&A, the attendees worked through the permitted uses within the CS District and provided a list of those uses they would like prohibited. See document at the back of this report. This list may have changed since the July 1, 2013 plan amendment meeting.

**CITY COUNCIL DATE:** September 26, 2013 **ACTION:** Pending.

**CASE MANAGER:** Maureen Meredith **PHONE:** 512-974-2695

**EMAIL:** Maureen.meredith@austintexas.gov



Out-of-cycle approval letter from E MLK Planning Contact  
Team

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*EMLK Combined Contact Team*

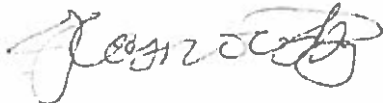
May 6, 2013

To: Maureen Meredith  
City of Austin, Planning & Development Review Department  
505 Barton Springs Road, 5th Floor  
Austin, TX 78704

Re: 1138 Gunter, Austin TX 78721  
Owner: R & J Partners LLC (Ron Meyeres, manager)

On April 16, 2013, the East MLK Combined Neighborhood Contact Team (EMLKCT) held a meeting in accordance with our bylaws to consider a request by the owner of the property located at 1138 Gunter, Austin Texas 78721 to file an out of cycle application to the amend the future land use map (FLUM). We approved that R & J Partners LLC (Ron Meyeres, manager) could submit an out of cycle application for the aforementioned property. At the time that the community meeting is arranged and facilitated by the City of Austin to hear the FLUM case, EMLKCT will discuss permitted uses and restrictive overlays as approved by EMLKCT and neighbors.

Sincerely,



Joy Casnovsky  
Chair, EMLKCT

Letter of support from the E MLK PCT – with conditions

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To: City of Austin Planning Commission  
Re: Case NPA-2013-0015.01, 1137 Airport Blvd  
Date: August 1, 2013

Dear City of Austin Planning Commission,

The EMLK Combined Neighborhood Plan Contact Team is supportive of the FLUM Change from Single Family to Mixed Use and is also supportive of the zoning change from SF-3 to Commercial. We believe that increasing desirable businesses along this corridor is positive for the neighborhood. That being said, we are only supportive of these two changes provided that the following uses are prohibited:

**Civic Uses**

Communication Service Facilities  
Community Events  
Congregate Living  
Counseling Services  
Guidance Services  
Hospital Services (both Limited and General)  
Local Utility Services  
Maintenance and Service Facilities  
Residential Treatment  
Safety Services  
Transitional Housing  
Transportation Terminal

Medical offices exceeding 5000 sq ft  
Off site accessory parking  
Pawn Shop Services  
Service Station  
Vehicle Storage

**Commercial uses**

Adult Oriented Business  
Agricultural Sales and Services  
Automotive Rentals  
Automotive Repair services  
Automotive sales  
Automotive Washing of any type  
Bail Bond Services  
Building Maintenance Services  
Commercial Blood Plasma Center  
Commercial Off Street Parking  
Convenience Storage  
Drop off Recycling Collection Facilities  
Equipment Repair Services  
Equipment sales  
Exterminating Services  
Financial Services (unless we wrote a restrictive covenant to prohibit loans)  
Kennels

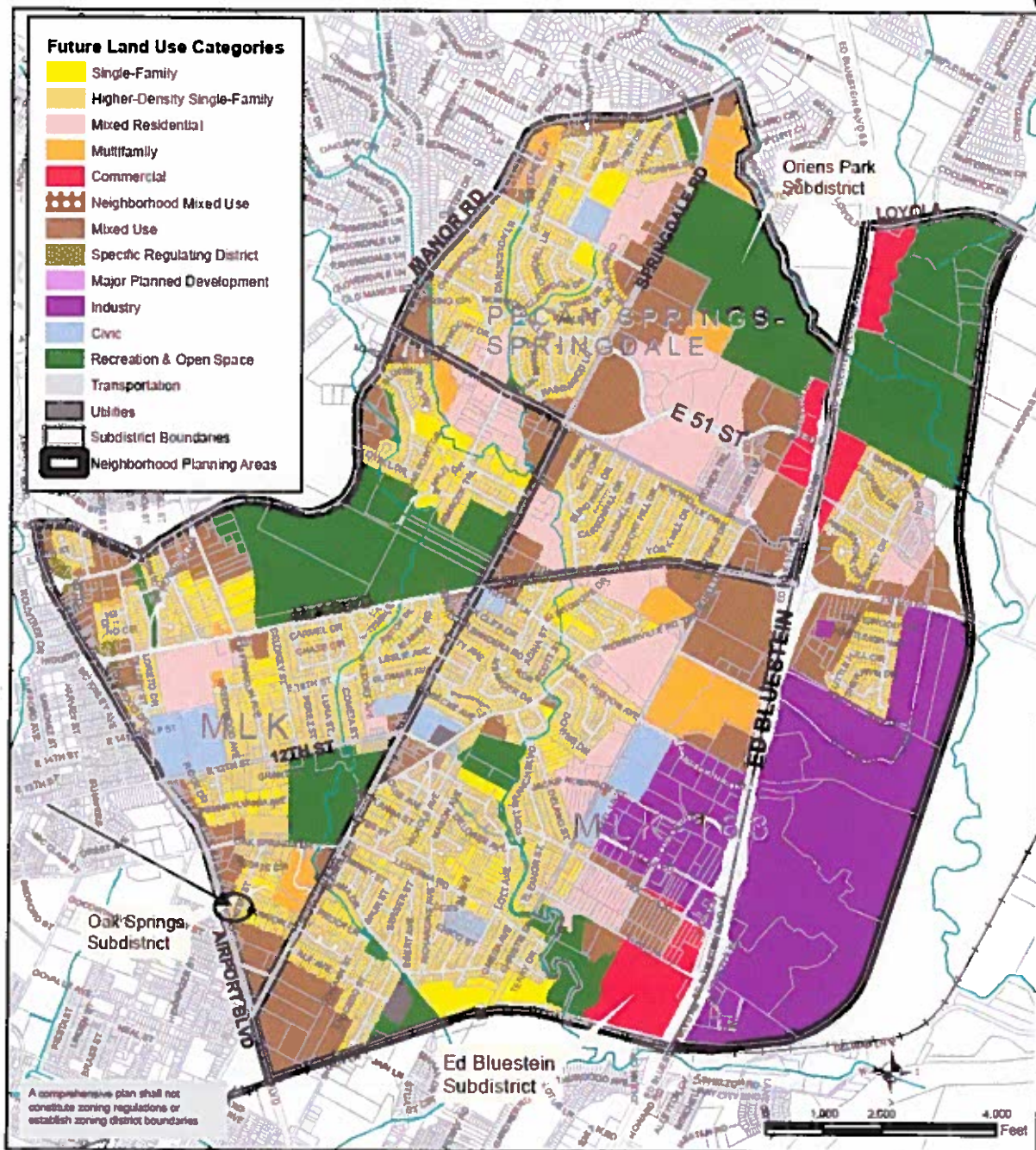
It is our understanding that the owner of the property, Ron Meyeres, in is agreement with prohibiting the aforementioned uses. Please contact us if you have any questions or concerns.

Respectfully submitted,

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Joy Casnovsky, East MLK Combined Neighborhood Contact Team Chair  
512.589.1090

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## East MLK Combined Neighborhood Planning Area Future Land Use Map

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

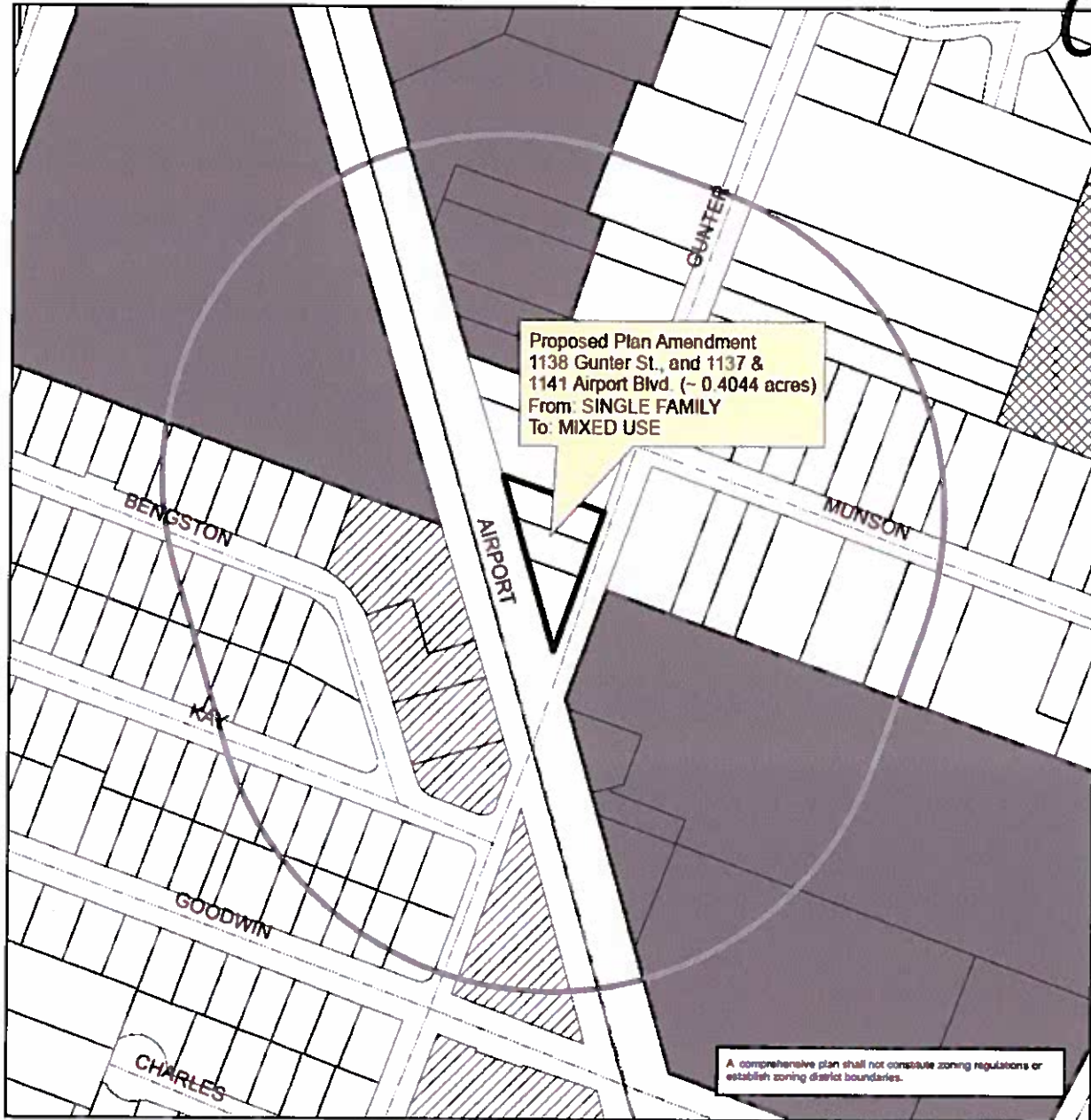
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Updated: June 25, 2012

City of Austin  
Planning and Development Review Department



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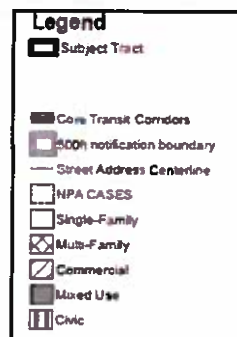
## E MLK Combined Neighborhood Plan NPA-2013-0015.01

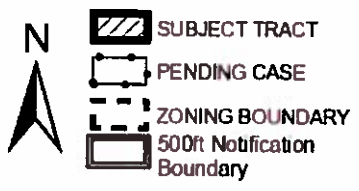
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City of Austin  
Planning and Development Review Department  
Created on July 1, 2013\_M Meredith





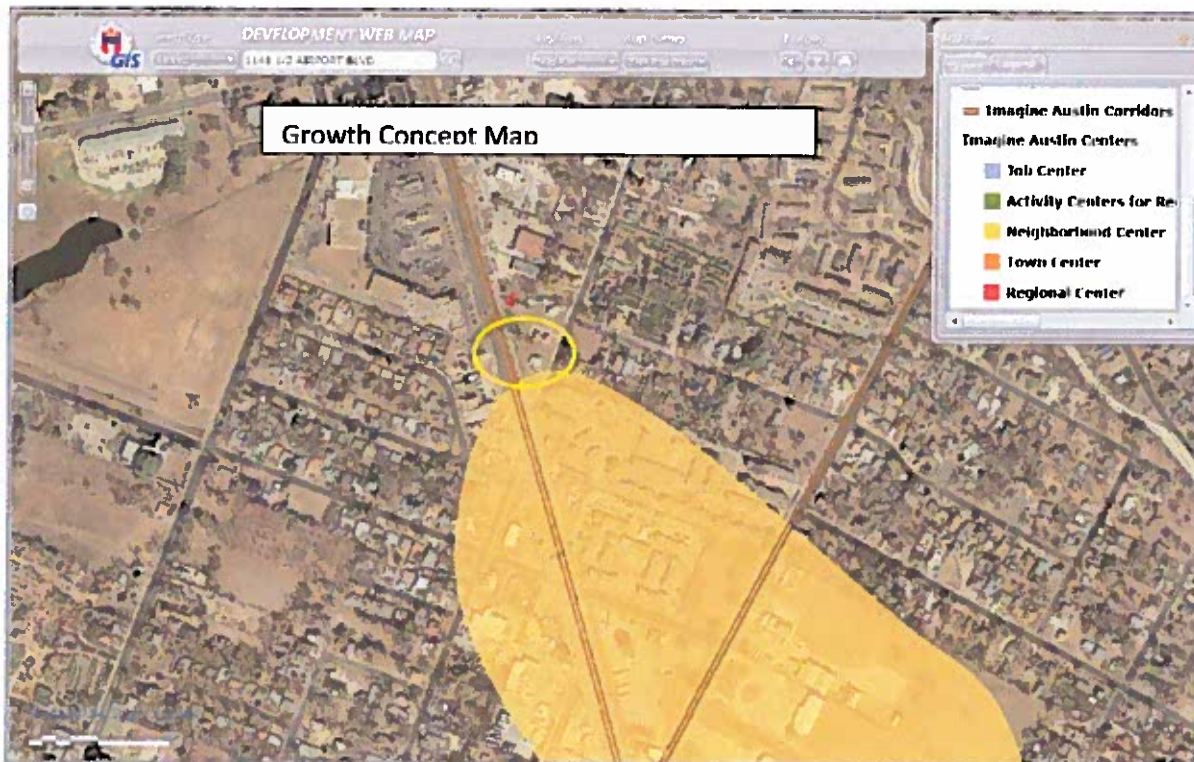
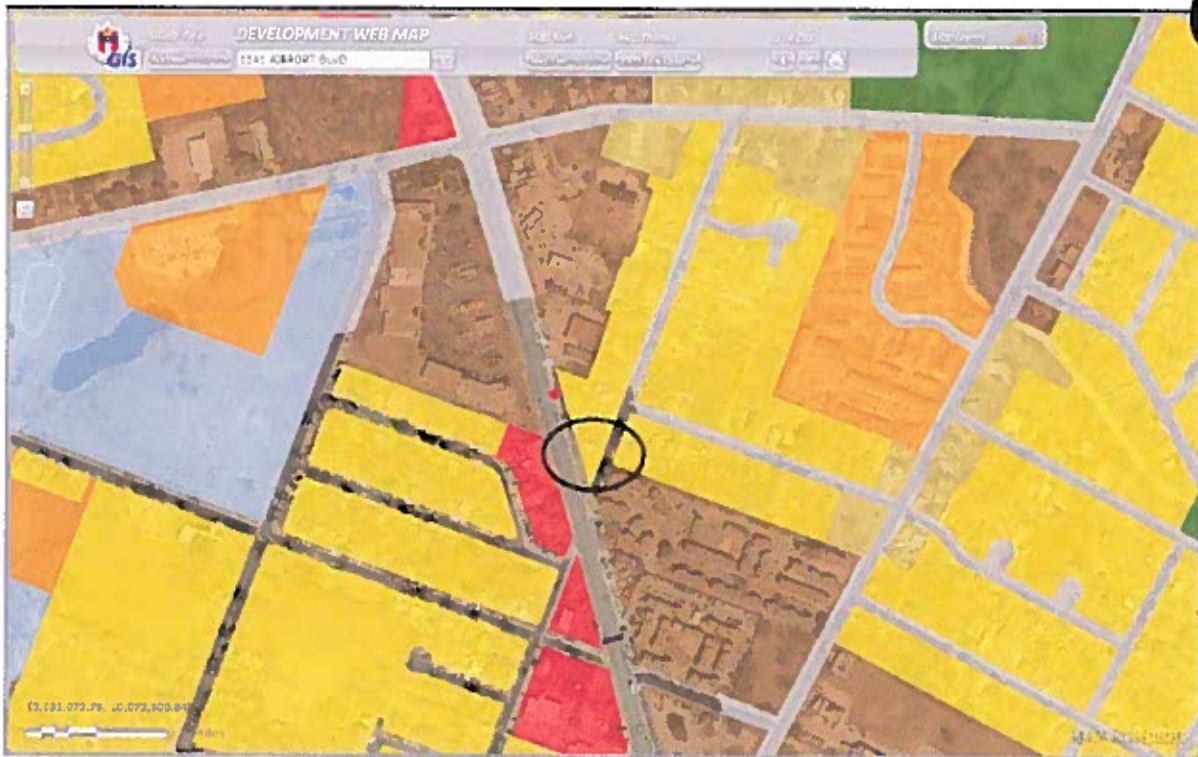
**Address:** 1137 & 1141 Airport Blvd. & 1138 Gunter St.  
**Approx. Acres:** 0.4044

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





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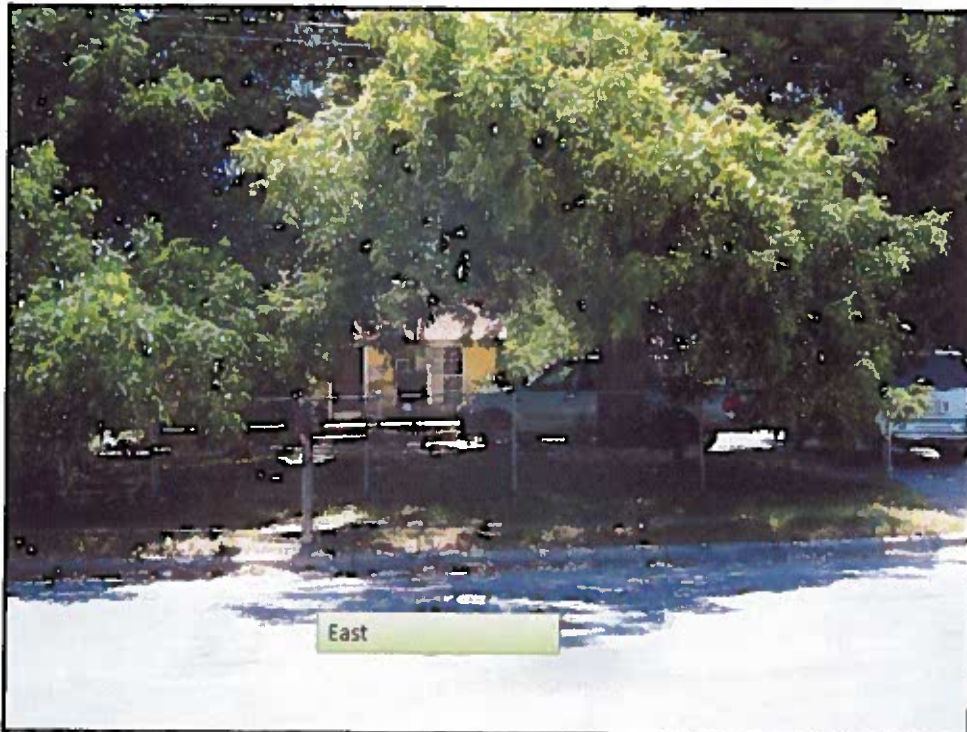




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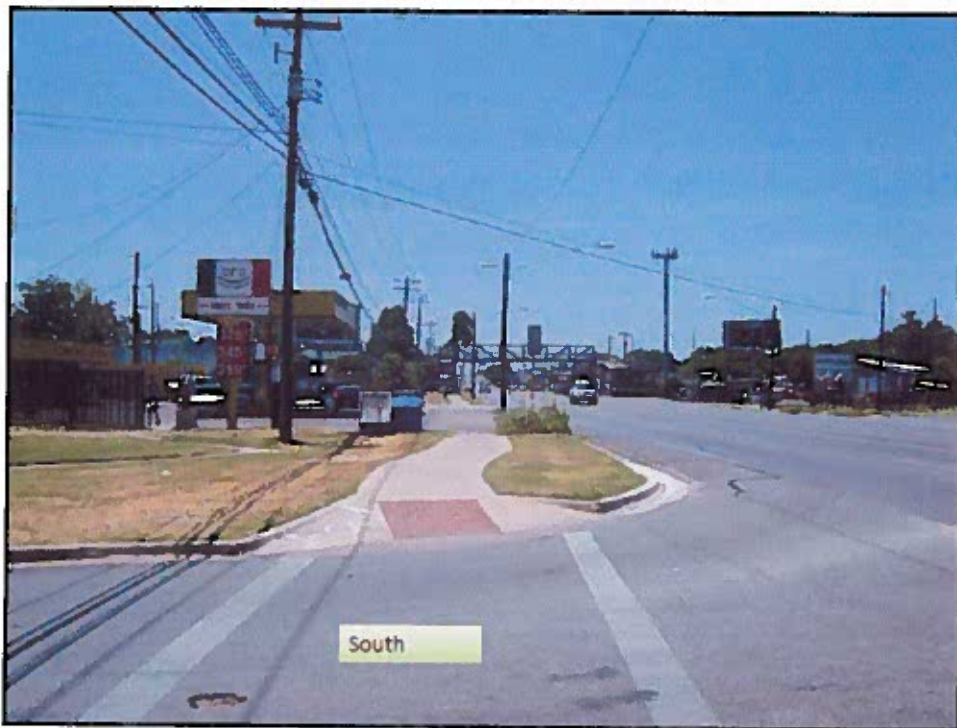


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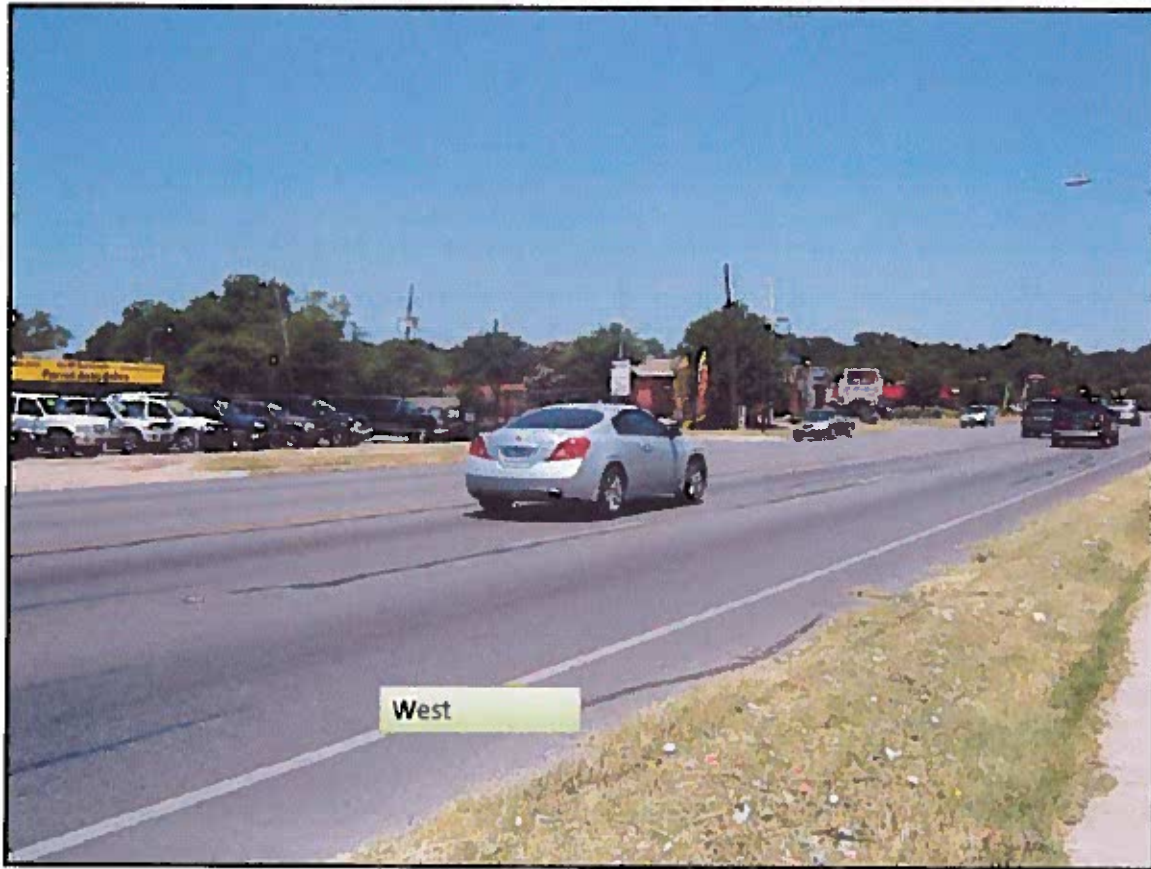
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Prohibited Uses List Created at Plan Amendment meeting on July 1, 2013,  
but has since been amended

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# CS

## General Commercial Services

General Commercial Services district is intended predominately for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments.

### Site Development Standards

Lot		Massing	
Minimum Lot Size	5,750 sq ft	Maximum Height	60 ft
Minimum Lot Width	50 ft	Minimum Setbacks	
Maximum Building Coverage	95%	Front yard	10 ft
Maximum Impervious Cover	95%	Street side yard	10 ft
Maximum Floor Area Ratio	2:1	Interior side yard	n/a
		Rear yard	n/a

### Permitted and Conditional Uses

#### Residential

Bed and Breakfast Residential (Group 1) \*

Bed and Breakfast Residential (Group 2) \*

#### Civic

~~Club or Lodge (c)~~  
~~College and University Facilities~~  
~~Communication Service Facilities~~  
~~Community Events~~  
~~Community Recreation—Private~~  
~~Community Recreation—Public~~  
~~Congregate Living~~  
~~Counseling Services~~  
~~Cultural Services~~  
~~Day Care Services—Commercial~~  
~~Day Care Services—General~~  
~~Day Care Services—Limited~~  
~~Family Home \*~~  
~~Group Home Class I—General \*~~  
~~Group Home Class I—Limited \*~~

Group Home Class II \*  
~~Guidance Services~~  
~~Hospital Service—Limited~~  
~~Hospital Services—General (c)~~  
~~Local Utility Services~~  
~~Maintenance and Service Facilities~~  
~~Private Primary Educational Services \*~~  
~~Private Secondary Educational Services \*~~  
~~Public Primary Educational Services \*~~  
~~Public Secondary Educational Services \*~~  
~~Religious Assembly~~  
~~Residential Treatment~~  
~~Safety Services~~  
~~Transitional Housing (c)~~  
~~Transportation Terminal (t)~~

#### Commercial

Administrative and Business Offices  
~~Adult-Oriented Business~~  
~~Agricultural Sales and Services~~

Art Gallery  
 Art Workshop  
~~Automotive Rentals~~

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December 2008

Commercial Districts

Zoning Guide

## CS (continued)

### Commercial (continued)

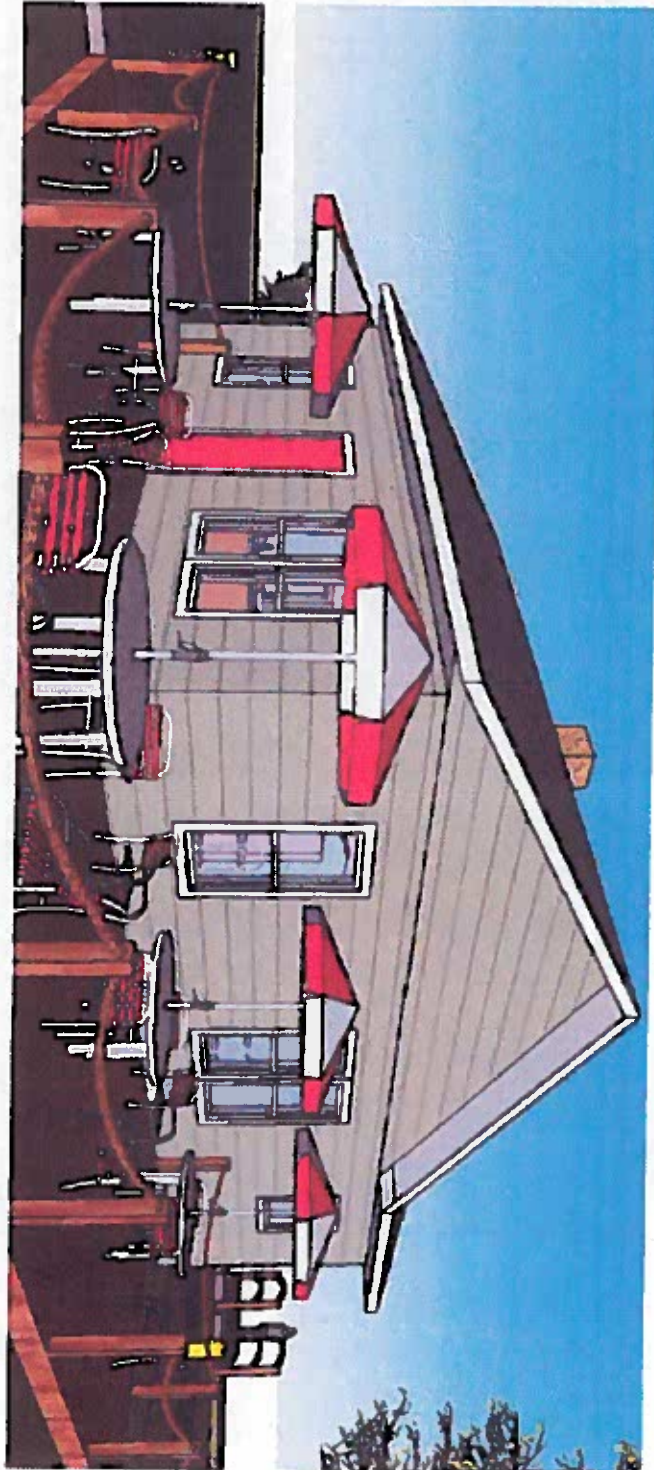
<del>Automotive Repair Services</del>	Hotel/Motel
Automotive Sales	Indoor Entertainment
<del>Automotive Washing—of any type</del>	Indoor Sports and Recreation
<del>Bail Bond Services</del>	<del>Kennels</del>
Building Maintenance Services	Laundry Services
Business or Trade School	Medical Offices—not exceeding 5,000 sq/ft of gross floor space
Business Support Services	Medical Offices—exceeding 5,000 sq/ft of gross floor space
<del>Campground</del>	Monument Retail Sales
<del>Commercial Blood Plasma Center*</del>	<del>Off-Site Accessory Parking</del>
<del>Commercial Off-Street Parking</del>	<del>Outdoor Entertainment (C)</del>
<del>Communications Services</del>	<del>Outdoor Sports and Recreation</del>
<del>Construction Sales and Services</del>	<del>Pawn Shop Services</del>
Consumer Convenience Services	Personal Improvement Services
Consumer Repair Services	Personal Services
<del>Convenience Storage</del>	Pet Services
<del>Drop-Off Recycling Collection Facilities*</del>	Plant Nursery *
Electronic Prototype Assembly	Printing and Publishing Services
Electronic Testing *	Professional Office
Employee Recreation	Research Services
<del>Equipment Repair Services</del>	Restaurant—Limited
<del>Equipment Sales</del>	Restaurant—General *
<del>Exterminating Services</del>	<del>Service Station*</del>
Food Preparation	Software Development
Food Sales	Theater
Funeral Services	<del>Vehicle Storage</del>
Financial Services	Veterinary Services
General Retail Sales—Convenience	
General Retail Sales—General	

### Industrial

Custom Manufacturing	<del>Limited Warehousing and Distribution</del>
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Airport Café Project



1137 Airport Blvd, 1141 Airport Blvd, 1138 Gunter

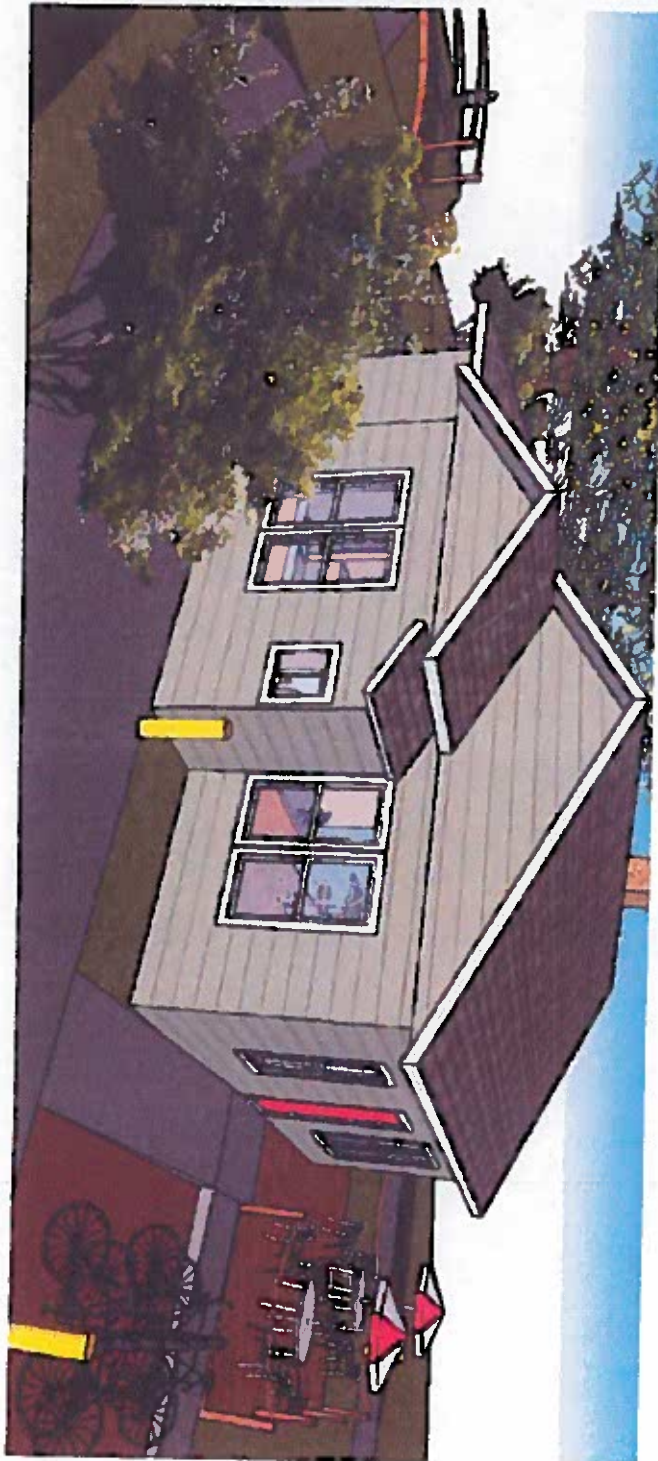
Austin, TX 78702

Conceptual Rendering



5/2/2013

Airport Café Project



1137 Airport Blvd, 1141 Airport Blvd, 1138 Gunter  
Austin, TX 78702

Conceptual Rendering

**1137 Airport Blvd., 1141 Airport Blvd. & 1138 Gunter**

**Proposed Site Plan**  
Scale: 1" = 10' 0"

**Site Details**

Category	Value
Total Building Area	18241.2 sf
Impervious Area	10745.5 sf
Permeable Area	2008.2 sf
Impervious Area	6617.5 sf
Permeable Area	8625.3 sf
Impervious Area	47%
Required Parking	11 spaces
Proposed Parking	25 spaces

**Setbacks:**  
 5' Side Yard Setback  
 10' Back Yard Setback  
 25' Front Setback

**Streets:**  
 GUNTER STREET  
 AIRPORT BOULEVARD

**Building Features:**  
 Living Building  
 Eating Outway  
 6 spaces  
 19 spaces

**Orientation:**  
 North

**Scale:**  
 0 20'-0"

**Proposed Site Plan**  
Scale: 1"=40'-0"

5101

TJ's Drafting & Design  
120 Powers Circle  
Duda, Texas 78610





